

TIPP CITY COUNCIL MEETING**TIPP CITY, MIAMI COUNTY, OHIO****JULY 21, 2008****Roll Call**

President Patrick A. Hale called to order the regular meeting of the Tipp City Council at 6:00 p.m. Roll call showed the following Councilmembers present: William D. Beagle, George H. Lovett, Tim E. Evans, Patrick A. Hale, John E. Kessler and Dolores Gillis.

Mr. Lovett moved to excuse Councilmember Vickie K. Blakey, seconded by Mr. Kessler. The motion carried with a vote of 6-0.

Executive Session

Mayor Evans moved to adjourn to Executive Session to discuss pending litigation to include City Council Members, City Manager Crusey, and Law Director Moore. The motion was seconded by Mr. Kessler and unanimously carried. Council adjourned to Executive Session at 6:28 p.m. with a motion made by Mayor Evans, seconded by Mr. Lovett.

Study Session

President Hale announced that Council would be adjourning to hold a Study Session to discuss the scheduling of Beggar's night, 30 German St. and 36 Regency nuisance reviews, and N. Hyatt Street bid results.

Beggar's Night

Mr. Crusey reported that Miami County has scheduled Beggar's Night on Thursday, October 30th. Differing opinions have been expressed by Councilmembers some are in favor of the recommended date while others want to schedule the event on Friday, October 31st. He noted that Monroe Township will schedule their Beggar's Night to coincide with Tipp City's.

Mrs. Gillis, Mr. Kessler, and Mayor Evans preferred October 30th. Mrs. Gillis noted that Beggar's Night had always been held on Thursday's as long as she could remember. Mr. Kessler stated that the City's curfew is later on Friday nights allowing more opportunities for kids to be mischievous. Keeping with the County recommended date would also limit the number of out-of-town kids coming into Tipp City. Mayor Evans stated that adults are more likely to be out drinking on a Friday night. He stated that he was in favor of scheduling Beggar's Night on Halloween whenever possible except when it falls on a Friday, Saturday, or Sunday.

Mr. Hale stated that Council had decided to hold Beggar's Night on Halloween. Having the event on Halloween each year would make scheduling much easier. Some have said that Beggar's Night should not be scheduled on Friday night due to football. He noted that October 31st would not be a football night for Tipp City. If they make the playoffs, Tipp would play on Saturday.

Mr. Lovett stated that this issue wouldn't come before Council year after year if everyone would agree to hold Beggar's Night on Halloween, October 31st. This would eliminate all the guess work for families and allow them to plan around that date. He noted that Tipp

30 German Street &
36 Regency Square
Nuisance Review

City didn't change the 4th of July or Christmas just because it falls on a Friday or Saturday. Mr. Lovett stated that he had not heard one good reason to hold Beggar's Night on any other night than Halloween.

Mr. Beagle stated that he would like to schedule Beggar's Night on Halloween whenever possible except when the date falls on a Friday or Saturday. This year, Mr. Beagle supported scheduling the event for Thursday, October 30th.

The next topic of discussion focused on neglected and abandoned properties at 30 German Street and 36 Regency Square. City Planner, Matt Spring, used the attached PowerPoint presentation to outline the violations for each property. Mr. Spring noted that before further action could be taken Council would need to adopt a resolution approving enforcement action.

Code Section 94.46 states: "In case of failure or refusal to comply with any such resolution of Council, the work required thereby may be done at the expense of the corporation and the amount of money expended therefore shall be a valid claim against said owner, occupant or person in charge and a lien upon such land which may be enforced by suit in any court of competent jurisdiction. Proceedings under this section shall not relieve any party defendant from criminal prosecution or punishment for violation of any section of this code or any other criminal law or ordinance in force within the municipality."

Mr. Spring stated that the Miami County Health District offered to destroy the home at 30 German but the owner declined. Mr. Kessler stated that he hated to proceed in this manner but the property owners were not giving the City any other option. Council agreed.

Mr. Spring briefly touched upon the mowing assessment ordinance on tonight's agenda that would assess the following: 424 S. Second Street; 304 S. Third Street; 955 Foxtail Circle; and 976 Foxtail Circle. Following a brief discussion, Mr. Spring acknowledged that mowing expenses for three of the four properties occurred under previous ownership.

Mayor Evans noted that this was not a great way to welcome new residents to the City. Mr. Kessler agreed. Mr. Hale noted that Council had waived mowing fees in similar circumstances in the past.

N. Hyatt Street Bids

Finally, Council discussed a resolution that would authorize the City Manager to enter into a contract for Phase II of the N. Hyatt Street Reconstruction Project. Mr. Crusey noted that the City budgeted \$820,000 for this project. In order to meet the City's obligations under the OPWC agreement both the base bid and Alt #2 must be awarded which will cost \$972,729.60 creating a shortfall of \$152,729.60, plus the cost of any change orders.

Additional funds in the amount of \$39,798 from the Water Improvement Reserve Fund, \$12,610 from the Sanitary Sewer Fund and \$108,321.60 from the Capital Improvement Reserve Fund would need to

be expended beyond the original budget figures to continue this project. *(The Engineer's Staff Report budgeted \$8,000 in the Electric Fund for this project but no Electric Funds were needed for this project.)*

Mr. Crusey noted that Alt. #1 for this project, which involves the construction of sidewalks along the west side of Tipp-Cowlesville Road from Manchester Drive north to Kessler-Cowlesville Road, was not recommended to be awarded as part of this project.

Mrs. Gillis asked if the City could return the OPWC funds. Mr. Crusey noted that returning the funds would not only eliminate the project but it could potentially affect future grant applications submitted by the City. Mr. Drennen stated that this project was highly leveraged with outside funds (\$400,000 OPWC Grant and \$135,000 from the Miami County Engineer's Office) and it would be hard for the City to walk away from the project completely.

Mayor Evans stated that the information being presented to Council tonight differs from the grant application information originally presented to Council. He stated that Council has been telling the City that there are not enough funds to repair streets and now Council must use reserve funds for this project.

Mr. Lovett suggested Council move forward with the resolution. Mrs. Gillis asked if elements of the project could be eliminated to reduce the cost. President Hale stated that it was better to get the job done correctly.

Mr. Crusey reiterated that by returning grant funds, the City could lose points when applying for future grants. In addition, it could take 3 or 4 rounds of funding to get this project back in the rotation.

Mrs. Gillis requested staff take measures to make sure this never happened again. The study session concluded at 7:14 p.m.

Reconvene Regular Meeting

The meeting reconvened in regular session at 7:30 p.m.

Others in attendance: City Manager Jon S. Crusey, Law Director Joseph P. Moore, Utilities Director M. J. Eichman, City Engineer Scott P. Vagedes, Finance Director Richard Drennen, City Planner Matt Spring, Police Chief Tom Davidson, Fire Chief Steve Kessler, Sergeant David Friend, Officer Jeff Perilman, Records Clerk Brian Arnold, Officer Greg Adkins, *Dayton Daily News* reporter Nancy Bowman, *Tipp Herald* reporter Mike Kelly, and Clerk of Council Misty Cheshire.

Citizens signing the register included: Dick Chaney, Jesse Kent, Katie Black, Penny Thomas, Connor Thomas, Pastor John Hughes, Marie Hughes, Jake Roberts, Matt Black, Ashley Frey, Phyllis Hale, Joe Bagi, and Martin English.

Invocation and Pledge of Allegiance

Pastor John Hughes of the Skyview Wesleyan Church delivered the invocation. President Hale led the Pledge of Allegiance.

Approval of Agenda

Mr. Lovett moved to approve the agenda, seconded by Mr. Beagle. The motion unanimously carried.

Adoption of Minutes

Mr. Lovett moved to adopt the minutes of the June 16, 2008, City Council Meeting, seconded by Mrs. Gillis. The motion carried with a vote of 6-0.

Mayor Evans moved to adopt the minutes of the June 16, 2008, Post Meeting Study Session, seconded by Mr. Lovett. The motion unanimously carried.

Service Award

Mr. Crusey, Chief Davidson, and Mayor Evans presented Sergeant David J. Friend with a plaque to honor his 25 years of service with the City of Tipp City. Sgt. Friend was the City's first D.A.R.E. officer and helped bridge youth to the Police Department. Mayor Evans stated that Sgt. Friend has been serving as a sergeant for the past two years and hoped that he would serve the community for many years to come.

**Resolutions
(one reading
required)**

Resolution 20-08
N. Hyatt Street
Reconstruction, Ph II

The following resolutions were presented to City Council for adoption.

Resolution 20-08: A resolution authorizing the City Manager to enter into an contract with L. J. DeWeese Co. of Tipp City, Ohio for the N. Hyatt Street Reconstruction Phase 2 Project at a cost of \$972,729.60.

Clerk of Council Summary: A total of three bids were received for this road improvement project with L. J. DeWeese Co. providing the lowest and best bid.

City Manager Report: Mr. Crusey noted that in order for the City to meet its obligations under the OPWC agreement both the base bid and Alternate 2, at a minimum, must be awarded. While sufficient funds have been appropriated to cover the additional costs related to this project, additional funds in the amount of \$39,789 from the Water Improvement Reserve Fund, \$12,610 from the Sanitary Sewer Fund, and \$108,321.60 from the Capital Improvement Reserve Fund would need to be expended beyond the original budget figures.

There being no further discussion, Mr. Beagle sponsored this resolution and moved for its adoption, seconded by Mr. Lovett. A roll call vote was taken. The motion carried with a vote of 6-0. Resolution 20-08 was declared passed and President Hale affixed his signature in witness thereto.

Resolution 21-08
Resolution of
Necessity

Resolution 21-08: A resolution of necessity for improvements on various streets upon the addresses attached to replace sidewalk, curb and gutter, and driveway approaches where necessary.

Clerk of Council Summary: This legislation fulfills requirements of the Ohio Revised Code to declare by Resolution of Necessity those repairs within the public right-of-way intended to be assessed to property owners abutting sidewalks, curbs and gutter, and driveway aprons.

City Manager Report: This resolution declares the necessity to repair certain sidewalks, curb and gutter, and driveway approaches in the City and is the first step in the assessment process for those property owners who fail to make the necessary repairs. Mr. Crusey stated that if the City makes those repairs and the owners fail to reimburse the City, the City will then assess the property.

Mr. Kessler sponsored this resolution and moved for its adoption, seconded by Mrs. Gillis. The motion unanimously carried.

Resolution 21-08 was declared passed and President Hale affixed his signature in witness thereto.

Resolution 22-08
Great Miami Bikeway
Connector

Resolution 22-08: A resolution authorizing the City Manager to enter into a contribution agreement with Five Rivers Metro Parks, the Miami County Parks District, and the Monroe Township Trustees for the south leg of the Great Miami River Bikeway connector.

Clerk of Council Summary: This agreement has already been signed by the Monroe Township Trustees and the Miami County Park District. Following approval by the City, Five Rivers Metro Park will continue to pursue the negotiations and acquisitions of the necessary easements and right-of-way.

City Manager Report: This agreement would require the City to repay its share of federal grant funds that are being administered by ODOT. Mr. Crusey stated that if this bikeway is not completed within the 20 year period the City's potential repayment cost are estimated at \$56,000. He noted that one property owner has refused to grant an easement for the project, therefore a piece of the bikeway may not be constructed immediately and would need to be constructed within the 20 year period or the City would be required to repay its share of the federal grant.

Mr. Vagedes stated that the City could continue to pursue the easement and right-of-way as long as this agreement was in place.

President Hale asked how much of path would not be constructed. Mr. Vagedes estimated that 1,200 to 1,300 feet of the bikeway would not be installed. Mr. Crusey stated that if an agreement cannot be reached, the City has the potential to go around the property but would be considerably more expensive. Mr. Vagedes stated that his intent was to have this issue resolved before construction if at all possible.

Mayor Evans sponsored this resolution and moved for its adoption, seconded by Mr. Kessler. The motion unanimously carried. Resolution 22-08 was declared passed and President Hale affixed his signature in witness thereto.

Resolution 23-08
Nuisance Abatement
30 German Street

Resolution 23-08: A resolution authorizing the City Manager to utilize the equitable powers of the Common Pleas Court of Miami County, Ohio in order to abate uncorrected violations of Section 94.44.

Clerk of Council Summary: Code Section 94.44 requires the City Manager to report uncorrected violations of the Tipp City Nuisance Code to Council, which by Resolution approve the enforcement action to be taken.

City Manager Report: The owner, George S. Brown, was sent a violation notice on March 18, 2008 regarding the abatement of violations at his property and has failed to abate said nuisances. Mr. Crusey explained that the adoption of the resolution would authorize the City to pursue legal action to correct the violations.

There being no further discussion, Mr. Beagle sponsored this resolution and moved for its adoption, seconded by Mr. Lovett. The motion unanimously carried. Resolution 23-08 was declared passed and President Hale affixed his signature in witness thereto.

Resolution 24-08
Nuisance Abatement
36 Regency Square

Resolution 24-08: A resolution authorizing the City Manager to utilize the equitable powers of the Common Pleas Court of Miami County, Ohio in order to abate uncorrected violations of Section 94.44.

Clerk of Council Summary: Code Section 94.44 requires the City Manager to report uncorrected violations of the Tipp City Nuisance Code to Council, which by Resolution approve the enforcement action to be taken.

City Manager Report: The owner of this property, Wells Fargo Bank, was sent a violation letter on May 5, 2008 regarding the abatement violations of this property and has failed to abate the nuisances. Mr. Crusey stated that this resolution would authorize the City to pursue legal action to correct the violations.

There being no further discussion, President Hale sponsored this resolution and moved for its adoption, seconded by Mayor Evans. The motion unanimously carried. Resolution 24-08 was declared passed and President Hale affixed his signature in witness thereto.

Resolution 25-08
Rosewood Creek
Revised PRD

Resolution 25-08: A resolution modifying and approving a revised preliminary plan for the Rosewood Creek Planned Residential Subdivision.

Clerk of Council Summary: The developer has requested that the Preliminary Plan for the Rosewood Creek Planned Residential Development (PRD) be modified as approved by the Planning Board on July 8, 2008.

City Manager Report: At their July 8th meeting, the Planning Board adopted a positive recommendation for the revised preliminary plan. Mr. Crusey noted that the only significant changes to the revised preliminary plan are the recognition of minor changes previously approved by the Planning Board and a change in the phasing of the development.

**Ordinances
(first reading)**

Weed Cutting
Assessment

There being no further discussion, Mayor Evans sponsored this resolution and moved for its adoption, seconded by Mrs. Gillis. The motion unanimously carried. Resolution 25-08 was declared passed and President Hale affixed his signature in witness thereto.

The following ordinances were presented for a first reading. The second reading and public hearing will occur at August 4, 2008 City Council Meeting.

An ordinance to assess the cost of weed cutting in the City of Tipp City, Ohio.

Clerk of Council Summary: This ordinance authorizes the levying of an assessment on the tax duplicate of four properties for weed and grass cutting fees that were incurred by the City but not paid by the property owners.

City Manager Report: Mr. Crusey reported that each property owner was sent notice of the violations and failed to comply. The City then took action and cut the weeds by a contractor and invoiced the property owners. This ordinance would allow the City to place the cost on the property owner's taxes.

Mr. Kessler moved to amend this ordinance to exclude the following properties: 304 S. Third Street, 955 Foxtail Circle, and 976 Foxtail Circle; noting that the mowing occurred prior to the existing ownership, seconded by Mayor Evans. The motion carried with a vote of 5-1. Mr. Lovett cast the dissenting vote.

Mr. Kessler sponsored the amended ordinance.

S. Tipp-Cowlesville
Road Sanitary Sewer
Line Assessment

Mr. Lovett sponsored ordinance levying special assessments for the construction of a certain sewer line on South Tipp Cowlesville Road between Cayman Circle and Evanston Road.

Clerk of Council Summary: This ordinance establishes a sewer line assessment for the construction of a sewer line on South Tipp Cowlesville Road.

City Manager Report: Mr. Crusey noted that this ordinance will assess one property owner for the cost of construction of a sewer line that was installed on S. Tipp-Cowlesville Road over a period of 20 years. One other property was affected by this construction but does not live in the City and will not be assessed. The Township resident would have to pay a tap in fee and reimbursement if they elected to use the service.

**Motions
Beggar's Night**

Beggar's night will be held on Thursday, October 30th in Tipp City, Ohio, as moved by Mrs. Gillis, seconded by Mayor Evans. The motion carried 4-2. Mr. Lovett and President Hale cast the dissenting votes.

Board Appointment
BZA

Mr. Kessler moved to appoint Katelyn Black to the Board of Zoning Appeals to fill a partial term expiring December 31, 2008, seconded by Mayor Evans. The motion unanimously carried.

Board Appointment
Board of Tax Appeals

President Hale moved to appoint Kent Moyer to the Board of Tax Appeals for a partial term expiring December 31, 2008. The motion carried with a vote of 6-0.

Citizen Comments

Phyllis Hale, 665 N. Hyatt Street, stated that she was concerned about the condition of City Park. She noted that the park has been professionally evaluated twice and found that "City Park is the most used and abused. It is the visible and used park in Tipp City." She said that the Park needed to be kept better. She shared pictures with City Council showing bare ground and lost trees. She stated that when she served on the Tree Board, nearly six years ago, she expressed concern over the grills in City Park and they have not been repaired or replaced. She asked City Council to address these issues.

Mrs. Hale then spoke about the City's Dog Park. She noted that she read an article that stated "The City Park Department contributed money that was available at the end of year from the Park Fund and will maintain the Dog Park Grounds." She said that whenever she mentions mulch and water for the trees she is told that the City doesn't have the money for those items.

Mrs. Hale then asked why the trees were removed at the south end of Tipp-Cowlesville and Evanston Road in front of the First Baptist Church. Being a Tree City, the City should be pruning trees rather than cutting them down.

President Hale thanked Mrs. Hale for her comments and suggested that she attend the Park Advisory Board meetings to discuss these issues. Mr. Beagle noted that the City is currently budgeting for 2009 projects.

**Councilmember
Comments**

Mr. Lovett stated that he and his fellow Councilmembers love Tipp City but the City's financial state was in need of attention. Mr. Crusey included a fuel efficiency policy in the Council packets last week but it would not save scads of money, said Lovett. The City is doing everything possible to cut costs. Mr. Crusey will continue to pursue cost cuts but it was highly unlikely that Mr. Crusey could find enough ways to save money that would enable him to fix the City's finance problems.

Mr. Lovett said that no one could point to any waste that could be cut or growth in revenues that could save the City from the approaching freight train. The City has a problem; core infrastructure is eroding and services are not keeping pace with the City's needs. Businesses have the ability to reduce staffing or cut back production. The City doesn't have those options. Sections of the City can't be shut down. Police, EMS, or Fire personnel can't be laid off.

Mr. Lovett acknowledged the City's financial shortfall noting that the City had pursued a levy twice in the last year that was defeated by the voters each time. Over the past few months the media has ignored his admonishments. He wanted to heighten citizen awareness and invited the Tipp Herald, Dayton Daily News, and any other newspaper that cared to interview himself, City Manger Crusey, Mayor Evans, or President Hale.

Mr. Lovett added that this issue wasn't going away and would not fix itself. The City doesn't have a community affairs position or consultant to help with getting this information out to the citizens. It is done on an ad hoc basis when the City Manager, Assistant City Manager or Councilmembers have the time to address the matter. It was time for the City to seriously consider getting assistance with community affairs and outreach. Citizens need to know more about what is going on with the City's budget and all City affairs. He said this couldn't be done on an ad hoc basis or when time permits. Any action taken would be done with a shoestring budget but information needs to get out on a consistent basis. Staff and Councilmembers need to know what citizens want and need.

Continuing with a capital spending freeze is not a long term solution. Mr. Lovett predicted that the only way to solve these financial problems was to pass a levy. Mr. Lovett said that he was a hardcore fiscal conservative and it pained him to say that a levy was the only solution. He requested feedback from the community about their needs and wants for today and the future.

Mr. Lovett wants Tipp City to continue being an outstanding place to raise a family and live, with an affordable budget. He envisioned continued growth in incremental steps. Keeping Tipp City the place we all know and love. He said this can't be done by doing nothing, we need to take action.

Mr. Beagle reported that he attended the Tipp Monroe Community Services meeting last Thursday. New board members were welcomed and a full staff is in place. Preparation is underway for the 30th Annual Run for the Mums in September. Mr. Beagle noted that a dedication marker was unveiled at Canal Lock Park detailing its history.

Mr. Kessler congratulated Ms. Black and Mr. Moyer on their board appointments.

President Hale congratulated and thanked Sergeant Friend for his 25 years of service to Tipp City.

City Manager Comments

Mr. Crusey stated that the Canal Lock dedication marker will be highlighted in the next issue of the Tippecanews. Mr. Crusey stated that he appreciated Mr. Lovett's comments on the fuel efficiency policy noting that all of the departments have been trying to conserve fuel in many different ways. One issue that he planned to address in the future was the cost of purchasing fuel.

Mr. Crusey noted that he extended the City's beverage contract for one additional year. He didn't want to cancel the contract in the middle of the swimming season. After the first of the year, he will issue RFP's for a new beverage service contract. He thought the City could take advantage of marketing promotions.

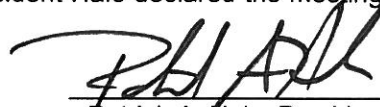
At the last Dayton Area Mayors and Manager's Association, the group discussed a regional collaboration grant program. This grant is available through the Ohio Department of Development and will provide funding to entities that are looking to join services. They want to see

municipalities, counties, and townships work together. A joint economic development plan study is being discussed for the Greater Dayton and Montgomery County area that would include Tipp City. If more than eight units of local government participate the Department of Development will pay for 100% of the plan up to \$80,000. At the end of the day, if Council doesn't like the plan, Tipp City can choose not to move forward in the process.

President Hale noted that Council would be holding a study session after the meeting to discuss a new drug dog and the Lightner Road waterline extension.

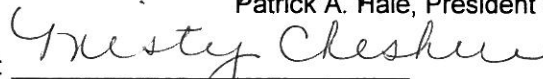
Adjournment

There being no further business, it was moved by Mr. Lovett, seconded by Mr. Kessler, that the meeting be adjourned. The motion unanimously carried. President Hale declared the meeting adjourned at 8:13 p.m.



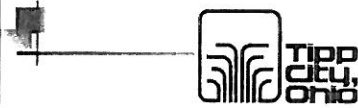
Patrick A. Hale, President of Council

Attest:



Misty Cheshire, Clerk of Council

City Council Study Session July 21st, 2008



Nuisance Abatement
30 German
36 Regency Square

1

Code Requirements Nuisances

- The Nuisance Code is found in Chapter 94
- Nuisances include properties with exterior accumulations of litter, debris, junk motor vehicles/parts, broken or discarded furniture/appliances, yard waste, etc.
- Nuisances also include dilapidated structural elements such as broken roofs, gutters, walls, fences, foundations, siding fascia, etc.
- Code Section 94.45, requires the City Manager to report uncorrected violations to Council.

2

Current Nuisance Cases

30 German Street
36 Regence Square

- 30 German Street
 - Citizen complaint received 3/18/08 concerning dilapidated structures, junk, peeling paint, etc.
 - Inspection 3/18/08 confirmed complaint
 - 3/18/08, Violation Notice was mailed to the owner of the property, George Brown, who resides at 375 W. Evanston Rd.

3

Current Nuisance Cases

30 German Street - Continued

- Violation Notice sent Certified Mail and signed for by Mr. Brown on 3/28/08
- Violation Notice required nuisances to be abated by 4/18/08
- Debris, leaves & twigs, and building material strewn about the property have since been removed

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Current Nuisance Cases

30 German Street - Continued

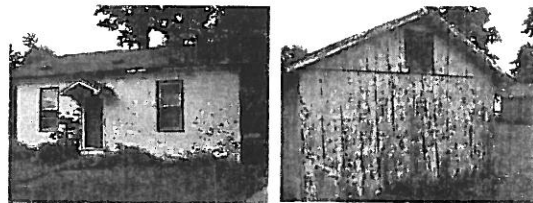
- Peeling/cracking paint on the exterior of the home and garage; and deteriorated fascia board have not been abated or corrected.
- History of nuisance issues at the location, including grass/weed mowing notices issued: 5/13/08; 5/11/07; 10/1/07; 9/28/06; 4/23/03; and 4/26/02

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Current Nuisance Cases

30 German Street - Continued

- Current Condition of Property
 - Vacant



6

Current Nuisance Cases 30 German Street - Continued



7

Current Nuisance Cases 30 German Street - Continued



8

Current Nuisance Cases 36 Regency Square

- Bank Owned since 4/8/08
- Citizen complaint received 5/5/08 concerning dilapidated structure, debris in yard, etc.
- Inspection 5/5/08 confirmed complaint
- 5/5/08, Violation Notice was mailed to the owner of the property, Wells Fargo Bank, Dallas, Texas

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Current Nuisance Cases 36 Regency Square - Continued

- Violation Notice sent Certified Mail and signed for on 5/7/08
- Violation Notice required nuisances to be abated by 6/1/08
- Debris, leaves & twigs, and building material strewn about the property have since been removed

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Current Nuisance Cases 36 Regency Square - Continued

- Accumulations of yard waste and gutter on the exterior premises are unabated (moved up against the structure to allow for the Tipp City mowing contractor access to mow the premises without running over them)
- Dilapidated sections of gutter; and holes in the roof and soffit have not been abated or corrected

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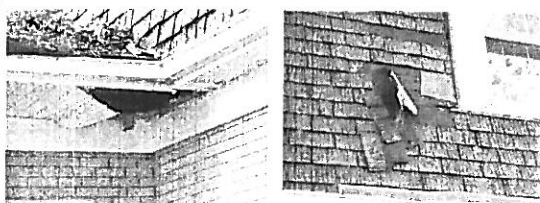
Current Nuisance Cases 36 Regency Square - Continued

- Current Condition of Property
 - Vacant



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Current Nuisance Cases 36 Regency Square - Continued



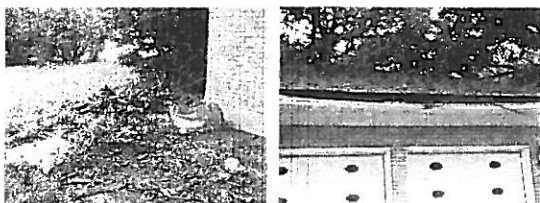
13

Current Nuisance Cases 36 Regency Square - Continued



14

Current Nuisance Cases 36 Regency Square - Continued



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Action Plan

- Code Section 94.45, requires the City Manager to report such uncorrected violations to Council.
- Council shall adopt a resolution approving the enforcement action to be taken by the City.
- Resolution needed for further action.
- Law Director Moore would then file case with the Miami County Court System.

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Mowing Assessments

- During the last year, the City has cut grass and weeds in accordance with Code Sections 94.60 – 94.62. Invoices have been sent to each property owner who has failed to remit payment to the City of Tipp City as follows:

Name	Address	Parcel Number	Amount Owed
Gregory Shaddix	424 S. Second St.	G15-092280	\$65.00
Sheri Creek (formerly US Bank (1/17 – 3/27/08) (formerly Linda Coston)	304 S. Third St.	G15-004510	\$65.00
Benjamin and Jodi Holbvogt (formerly Country Wide)	955 Foxtail Cr.	G15-023858	\$245.00
Douglas and Cynthia Plummer (formerly Country Wide)	976 Foxtail Cr.	G15-023850	\$205.00

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Mowing Assessments

- Reimbursement
 - Per Section 94.63, when the outstanding mowing charges remain unpaid for a period of 30 days:
 - The amounts shall be entered on the tax duplicate
 - They shall constitute a lien on the lands
 - They shall be collected as other taxes and returned to the city with the general fund
 - Resolution required to proceed with the assessment
 - Questions?

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TIPP CITY COUNCIL STUDY SESSION

TIPP CITY, MIAMI COUNTY, OHIO

JULY 21, 2008

Study Session

City Manager Jon Crusey opened the Study Session at 8:24 p.m. on this date.

Roll Call

Council Members in attendance included: Tim E. Evans, William D. Beagle, Patrick A. Hale, John E. Kessler, George H. Lovett, and Dolores Gillis. Others in attendance included: Police Chief Tom Davidson, Utilities Director M. J. Eichman, Joe Bagi, Fire Chief Steve Kessler, Finance Director Richard Drennen, Dr. Martin English, *Dayton Daily News* reporter Nancy Bowman, and Clerk of Council Misty Cheshire.

**Discussion –
Drug Dog**

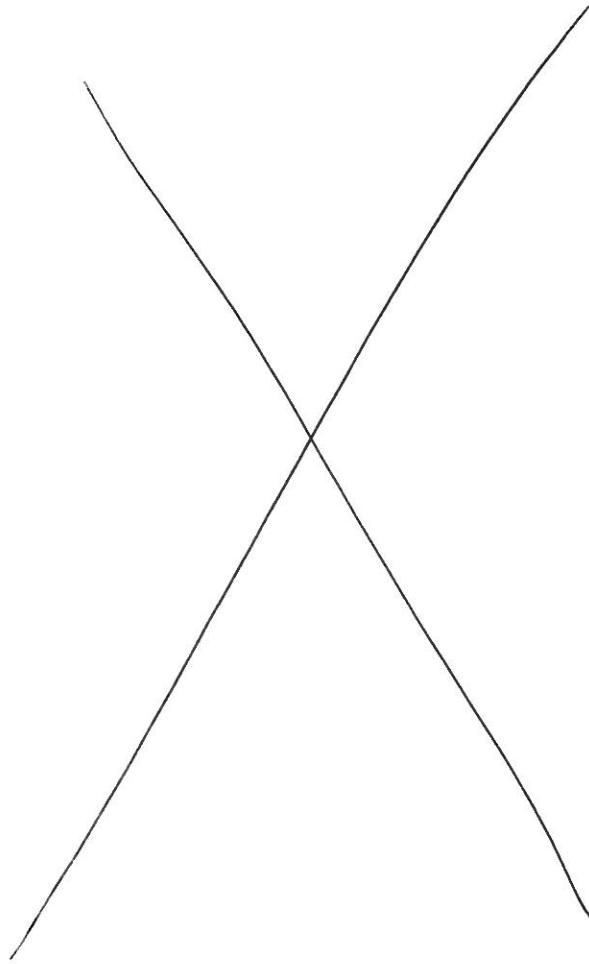
Chief Davidson stated that the City's K-9 Program has been very successful for drug prevention and public relation programs. Absent a dog, the City would be completely reliant on other agencies for any dog related services regardless of its nature. Since the inception of K-9 program approximately 340 searches and 134 arrests for a variety of drug and drug paraphernalia charges.

Chief Davidson stated that the Police Department received their first drug detection dog, Lefty, in 1994, from the Miami County Sheriff's Office at no cost. A used Chevrolet Blazer was purchased and outfitted with donations from the American Legion, VFW, and Eagles. In 2000, Lefty was replaced by Printz and a 2000 Dodge Durango was purchased and equipped as a K-9 unit.

Chief Davidson noted that the dogs primary use has been for drug detection searches and for drug prevention activities. Through mutual aid agreements, Tipp City cooperates with other agencies preventive school searches. He noted that the City has not tried to focus on drug interdiction activity along I-75, which can result in substantial seizures.

As Printz's health begins to fade, Chief Davison proposed replacing him with another dog at the end of the year. Funding for replacement dog would be from solicitation of donations from community groups & fund raiser activities. Saving the City approximately \$13,000. Additional costs would include \$7,500 for training and the cost of a new vehicle, which is scheduled in the 2009 CIP. Dr. Martin English has agreed to donate medical services and there could be a possibility of food being donated by other organizations.

Chief Davidson noted that fund raising efforts are being handled through Tipp-Monroe Community Services, a 501C3 organization, on behalf of the "Friends of the Tipp City Police Department K-9 Unit" group. To date, approximately \$3,000.00 has already been either pledged or collected. Mrs. Gillis requested that a pledge card be mailed to the Eastern Star and other auxiliary groups in Tipp City.



Dr. English stated that the donated amount had increased to \$5,600 and didn't include a few pledges. He noted that the group may also be able to provide a vehicle as well. The Friends of the Tipp City Police Department K9 Unit will be holding a fish fry on August 16th to raise money for the cause.

Mr. Crusey stated that he wanted to make Council aware of this activity and verify Council's desire to continue the program. If all goes as planned a new dog will be purchased in October and will begin training allowing Printz to retire at the end of the year. Chief Davidson noted that Dr. English is helping with the selection of the new dog. Printz will be purchased by his handler Sergeant Eric Burris for (\$1) one dollar.

Lightner Road Water
Line Extension

The last topic of the night was centered upon a water line extension on Lightner Road. Mr. Eichman reported that NAWA is moving forward with a project that would extend a waterline 2,640 feet of 12" water line from an existing "T" and value stem of the 24" NAWA line on County Road 25-A. The cost to extend the line is estimated at \$300,000 and will be split between the Cities of Vandalia and Tipp City.

Mr. Eichman stated that Requests for Proposals for engineering consultant service for this project. Six bids were submitted, the lowest and best bid was submitted by Mad River Engineering in the amount of \$14,345.

Mr. Eichman stated that funds were available in the Water Fund to cover Tipp City's portion of the expenses. He added that the City would eventually get this money back through tap in fees and intervening user fees.

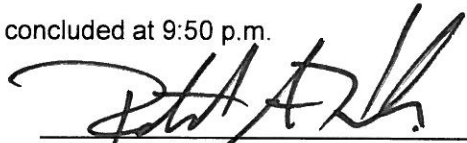
Mr. Beagle asked if the cities have discussed extending sewer lines to this location. Although some discussions have occurred, cost and capacity remain an issue stated Mr. Eichman. Mr. Beagle asked if there was a timeline for the project. Mr. Eichman expected bids to be awarded by the end of the year with the project carrying over into the Spring of 2009.

Steve (amended 8-4-08)

Mr. Kessler noted that having fire hydrants in this area will reduce the cost of fire insurance and help with the cities fire ratings. Council supported this project.

Adjournment

The study session concluded at 9:50 p.m.



Patrick A. Hale, President of Council

Attest: 
Misty Cheshire, Clerk of Council